

REMARKS

Applicant wishes to thank the Examiner for reviewing the present application and for the helpful comments in the Office Action and the Advisory Action. Applicant also wishes to thank the Examiner for granting an interview via telephone by Applicant's patent agent, Sean X. Zhang, conducted on January 9, 2009.

Claims 14-55 are pending and stand rejected. A response was filed on September 29, 2008 in response to the final Office Action mailed July 29, 2008 and to amend claims 14 and 24 to clarify that the negotiation process recited in these claims is a categorization negotiation. In the Advisory Action, the Examiner refused to enter the amended claims on the ground that the amendments raised a new issue and would require further search and maintained the rejection of all pending claims. The Examiner, however, also indicated in the Advisory Action that it would be beneficial for Applicant to further define in the claims the term "negotiation".

During the telephone interview, the teachings in the cited references, Schiavone (U.S. Patent Application Publication No. 2002/0120600) and Gross (U.S. Patent Application Publication No. 2002/01204748) were discussed. The Examiner agreed that neither Schiavone nor Gross discusses interactive negotiation of categories between a sender subsystem and a recipient subsystem and agreed that amending claims to further define the categorization negotiation process could place the application in a condition for allowance.

Claims 14, 24, 37, 47 and 52 are independent claims. Claims 15-23 depend from claim 14. Claims 25-36 depend from claim 24. Claims 38-46 depend from claim 37. Claims 48-51 depend from claim 47. Claims 53-56 depend from claim 52.

In order to expedite the prosecution of the application, Applicant amends independent claims 14, 24, 37, 47 and 52 to define explicitly the interactive nature of category negotiation as described in the specification. For example, claim 14 is amended to clarify that categorization negotiation includes at least the steps of communicating the category to the receiver subsystem, receiving an indication from the receiver subsystem whether the category is acceptable by the receiver subsystem and either adopting the category as a negotiated category if the category is acceptable or, if the category is not acceptable, negotiating with the receiver subsystem by proposing an alternative category to the receiver subsystem and adopting the alternative category as the negotiated category if the alternative category is acceptable. Claims 24, 37, 47 and 52 are also similarly amended to define the categorization negotiation process. System

claims 14 and 24 are also amended to clarify that the receiver subsystem is configured to permit the sender subsystem to propose new categories. Corresponding amendments are made to depended claims 15-18 in view of amendments to claim 14, to dependent claims 40 and 41 in view of amendments to claim 37, to dependent claim 49 and 50 in view of amendments to claim 47 and to dependent claims 53 to 55 in view of amendments to claim 52. Further minor changes are made to claims 29, 45 and 46 to improve clarity.

The claim amendments are supported by the description currently on file. See, for example, FIGS. 2 and 9, which depict interactive negotiation processes that result in a category recognized by the receiver subsystem being associated with an outgoing message or a new category being proposed to and accepted by the receiver subsystem and then associated with an outgoing message. For example, in reference to FIG. 2, Applicant describes at paragraphs [0033] and [0034] that the sender subsystem initiates a negotiation process and communicates with the receiver subsystem to negotiate and determine a category at the time of composing a message. In reference to FIGs. 9 - 11, Applicant describes in paragraphs [0042] and [0043] more examples of selecting and creating a new, alternative category by the sender subsystem which it then negotiates with the receiver subsystem to agree on the category. No new subject matter has been introduced.

As the present claim amendments incorporate the claim amendments filed on September 29, 2008, the entry of the present claim amendments only is requested.

Applicant notes further that as discussed in previous responses, Schiavone does not teach a "negotiation", at least not an interactive negotiation. Schiavone teaches merely selecting a message type specifier from a common set. The common set, as taught by Schiavone, is established and/or maintained by a trusted third party and is produced from two sets of specifiers published by the sender and the receiver. There is no teaching of an interactive negotiation of categories at all in Schiavone. Similarly, Gross also does not teach interactive negotiation of a category. Gross teaches establishing criteria and publishing rules for the senders to follow. Gross does not contemplate an environment in which a recipient interactively negotiates with a sender or teach any interactive negotiation of categories. In addition, none of the cited references teach a receiver subsystem configured to permit the sender subsystem to propose new categories. Having explicitly defined the interactive negotiation process in the claims and in view of the absence of teaching of any such categorization negotiation process in either cited references, Applicants believe that all pending

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claims, as amended, clearly and patentably distinguish over the references cited.

Applicant respectfully requests the reconsideration of the rejections of these claims and allowance of the present application.

The Examiner is invited to contact the undersigned by telephone to discuss this case further, if necessary, at (416) 863-5839.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sean X. Zhang', is written over a horizontal line.

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